

**MEMORANDUM**

RCA

Agenda Item No. 3 (A)

**TO:** Honorable Chairperson  
Barbara Carey-Shuler, Ed. D. and  
Members, Board of County Commissioners

**DATE:** September 17, 2003

**FROM:** George M. Burgess  
County Manager

**SUBJECT:** Miami-Dade Public Library -  
Waiver of Formal Bid Procedures  
Allowing Payment for Cultural  
Programs at Library Facilities

**RECOMMENDATION**

It is recommended that the Board approve a waiver of the formal bid requirements of Administrative Order 3-38 and bid protest procedures, to allow the Library Department to schedule and pay professional cultural program presenters and the associated expenses for engagements at various library venues including the Main Library, the North Dade Regional Library, the South Dade Regional Library, the West Dade Regional Library, the West Kendall Regional Library, the Miami Beach, Coral Gables, Allapattah, Coconut Grove, Coral Reef, Country Walk, Culmer/Overtown, Doral, Edison Center, Fairlawn, Grapeland Heights, Hialeah Gardens, Hispanic, Homestead, Kendall, Key Biscayne, Lakes of the Meadows, Lemon City, Little River, Miami Lakes/Palm Springs North, Miami Springs, Model City, North Central, North Shore, Northeast, Shenandoah, South Miami, South Shore, Tamiami, Naranja, West Flagler branches and other system neighborhood branch libraries as they open in an amount not to exceed \$200,000 in total, or \$5,000 per performance. This waiver will remain constant for five (5) years or until the aggregate recommended amount is expended, which ever occurs first.

**BACKGROUND**

On July 19, 1988, the Board authorized a waiver of formal bid procedures (R-1055-88), for payments to performers engaged to perform at County Park and Recreation facilities. That waiver applied to performance fees that did not exceed \$50,000 each or exceed a total of \$600,000 for a five (5) year period, or until the aggregate amount was expended. On September 15, 1998, the Board authorized a second bid waiver (R-1078-98) for the Parks Department after expiration of the ten-year limit on the first waiver. (R-1252.01), three years later, extended that waiver.

The Library Department schedules hundreds of neighborhood programs annually. These vary from special events for Hispanic Heritage Month, Black History Month, Asian Pacific American Heritage Month, National Gay Pride Month, Teen Read Month, Children's Book Week, Haitian Heritage Month, Women's History Month, and National Library Month to National Poetry Month. Programs are an important part of the library system's outreach services.

They are a source of information that is a bridge to other services. An integral component of outreach programming, are professional dancers, musicians, storytellers, authors and other cultural presenters that attract members of the community, especially new arrivals, to the library. These performers present cultural information and activities that relate to or expand awareness of library services, collections and system wide themes such as Hispanic Heritage and Black History. Committees of professional librarians develop the programs.

Professional librarians select the presenters. Payments to performers at the library programs range from \$75.00 to several thousand dollars for events scheduled at multiple venues.

South Florida is a highly trafficked corridor for cultural programs from all over the world and the opportunity to book exceptional talent often arises, usually at reduced fees. When an opportunity occurs, many performers and organizations require an immediate deposit to confirm a date. In addition, many have contractual conditions that may include special set-ups and requirements to be met by the producer. Normal County purchases and bid procedures do not provide the flexibility to accommodate the selection of storytellers, musicians, dancers, and authors and their special requirements.

The Library Department's Hispanic Heritage Program and Exhibition Series, Black History Program and Exhibition Series, Art of Storytelling Festival series and other presentations have garnered local and national accolades for the Department and the County from the community and other professionals for high-quality, culturally diverse, events. Presentations in 2003 included bringing professional storytellers from Africa and Austria for the annual Storytelling event, importation of an exhibition of rare books and manuscripts from Dresden, Germany, as well as Black history, Hispanic history, Asian Pacific history, women's history and other reading and literature related programming. With locations in diverse neighborhoods, the Library Department has been able to bring informative cultural programs to many of the County's underserved citizens. It continues to be the goal of the Library Department to make these presentations now taking place throughout the Library System, cost effective and of the highest quality for resident and visitors.

*GM 7/4/03*

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Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** October 7, 2003

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING WAIVER OF THE FORMAL BID REQUIREMENTS OF ADMINISTRATIVE ORDER 3-38 AND BID PROTEST PROCEDURES, TO ALLOW THE LIBRARY DEPARTMENT TO SCHEDULE AND PAY PROFESSIONAL CULTURAL PROGRAM PRESENTERS AND THE ASSOCIATED EXPENSES FOR ENGAGEMENTS AT VARIOUS LIBRARY VENUES INCLUDING THE MAIN LIBRARY, THE NORTH DADE REGIONAL LIBRARY, THE SOUTH DADE REGIONAL LIBRARY, THE WEST DADE REGIONAL LIBRARY, THE WEST KENDALL REGIONAL LIBRARY, THE MIAMI BEACH, CORAL GABLES, ALLAPATTAH, COCONUT GROVE, CORAL REEF, COUNTRY WALK, CULMER/OVERTOWN, DORAL, EDISON, CENTER, FAIRLAWN, GRAPELAND HEIGHTS, HIALEAH GARDENS, HISPANIC, HOMESTEAD, KENDALL, KEY BISCAYNE, LAKES OF THE MEADOWS, LEMON CITY, LITTLE RIVER, MIAMI LAKES/PALM SPRINGS NORTH, MIAMI SPRINGS, MODEL CITY, NORTH CENTRAL, NORTH SHORE, NORTHEAST, SHENANDOAH, SOUTH MIAMI, SOUTH SHORE, TAMiami, NARANJA, WEST FLAGLER BRANCHES AND OTHER SYSTEM NEIGHBORHOOD BRANCH LIBRARIES AS THEY OPEN IN AN AMOUNT NOT TO EXCEED \$200,000 IN TOTAL, OR \$5,000 PER PERFORMANCE. THIS WAIVER WILL REMAIN CONSTANT FOR FIVE (5) YEARS OR UNTIL THE AGGREGATE RECOMMENDED AMOUNT IS EXPENDED, WHICH EVER OCCURS FIRST.

**WHEREAS**, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board finds it in the

best interest of the County to waive formal bid procedures and bid protest procedures and the requirements of Administrative Order 3-38, in an aggregate amount not to exceed \$200,000 in total or \$5,000 per performance, for payments to engage cultural programs to be presented at Library venues and authorizes the County Manager to execute contracts therefore, following approval of the County Attorney's Office, formal bidding being waived in this instance by a 2/3 vote of this Board pursuant to section 4.03 (D) of the Home Rule Charter.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson

Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro

Betty T. Ferguson

Joe A. Martinez

Dennis C. Moss

Natacha Seijas

Sen. Javier D. Souto

Jose "Pepe" Diaz

Sally A. Heyman

Jimmy L. Morales

Dorrin D. Rolle

Rebeca Sosa

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The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of October, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency. \_\_\_\_\_